

C. D. H. asks the Appeals Board of the Utah Labor Commission to review Administrative Law Judge La Jeunesse's denial of Mr. H.'s claim for benefits under the Utah Workers' Compensation Act ("the Act"; Title 34A, Chapter 2, Utah Code Annotated).

The Appeals Board exercises jurisdiction over this motion for review pursuant to Utah Code Ann. §63-46b-12 and Utah Code Ann. §34A-2-801(3).

BACKGROUND AND ISSUE PRESENTED

On July 10, 2003, Mr. H. filed an application for hearing with the Commission to compel Auto Zone, Inc. and its workers' compensation insurance carrier, Liberty Mutual (referred to jointly as "Auto Zone" hereafter) to pay benefits for injuries Mr. H. allegedly suffered while working for Auto Zone on June 10, 2002.

The parties submitted the facts of Mr. H.'s case by stipulation and waived an evidentiary hearing. Judge La Jeunesse referred the medical aspects of the claim to a medical panel. The panel submitted its report on September 16, 2004. On February 9, 2005, Judge La Jeunesse issued his decision accepting the medical panel's opinion that Mr. H.'s work accident was not the cause of his alleged medical problems. On that basis, Judge La Jeunesse denied Mr. H.'s claim.

In his motion for review to the Appeals Board, Mr. H. reiterates that his own physicians believe his health problems were caused by his work accident. Mr. H. also requests an opportunity to state "his side of the story."

FINDINGS OF FACT

The Appeals Board adopts Judge La Jeunesse's findings of fact, which are based on the parties' stipulated facts and the medical panel's report. Specifically, the Appeals Board accepts the medical panel's opinion that Mr. H.'s work accident did not medically cause the injuries for which he now seeks benefits.

DISCUSSION AND CONCLUSIONS OF LAW

The Appeals Board acknowledges Mr. H.'s argument that his own doctors believe his work accident has caused his medical problems. However, the medical panel reached a different conclusion, based on its examination of Mr. H. and a thorough review of Mr. H.'s medical history. The Commission finds the medical panel's report persuasive.

The Appeals Board also notes Mr. H.'s request for a hearing. However, Mr. H. waived his right to a hearing and chose to submit stipulated facts instead. Mr. H. is bound by his stipulation, and the Appeals Board finds no reason to order any further hearing in this matter.

ORDER

The Appeals Board denies Mr. H.'s motion for review and affirms Judge La Jeunesse's decision. It is so ordered.

Dated this 25TH day of August, 2005.

Colleen S. Colton, Chair
Patricia S. Drawe
Joseph E. Hatch